

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shalaby W. Shalaby, :

Anderson SC (US)

APPLICATION NO.: 10/693,383 : Examiner: SILVERMAN,
ERIC E

FILING DATE: October 24, 2003 : Group Art Unit: 1615

TITLE: SOLID AND SEMI-SOLID POLYMERIC:
IONIC CONJUGATES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

Petitioners, Pfizer Inc, and Poly-Med Inc. hereby state that they are the assignees of the entire right, title and interest in the instant application. Petitioners hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, of any patent that may issue from U.S. Patent Application No. 10/693,307, as may be shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as may be shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; has all claims canceled by a reexamination

certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as may be shortened by any terminal disclaimer.

The undersigned (whose title is supplied below) is empowered to act on behalf of Petitioners. The present application is assigned by virtue of an assignment directly or indirectly from the named inventors to Pfizer Inc. and Poly-Med Inc. which was recorded with the USPTO on January 5, 2005, a copy of which can be found at the following Reel/Frame Numbers: 015557/0508.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is hereby authorized by this paper to charge the required fee under 37 C.F.R. §§ 1.321(b)(4) and 1.20(d) to Deposit Account 16-1445. The Commissioner is hereby authorized by this paper to charge any additional fees that may be required or credit any overpayment to Deposit Account 16-1445.

Respectfully submitted,

Date: January 28, 2008

/Gabriel Kleiman/
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